

### REMARKS

By this amendment, claims 1-8 are pending, in which claim 8 is currently amended and claims 9-14 are newly presented. No new matter is introduced.

The Office Action mailed January 6, 2005 rejected claims 1-8 under 35 U.S.C. § 102(e) as anticipated by *Friesen* (U.S. 6,636,863).

Claim 8 has been amended to resolve an informality.

The rejection of the claims is respectfully traversed, as *Friesen* does not disclose the features of the claims. For example, independent claim 1 recites: “loading the class containing the pre-initialized static variable into a **shared, read-only memory**.” Independent claim 5 recites: “loading a class containing a static variable into a **shared, read-only memory**,” and independent claim 8 recites: “loading a class containing a static variable into a **shared, read-only memory**.” This feature is not shown in *Friesen*.

*Friesen* is directed to generating programs associated with Internet web pages that can persist from one web page to another without requiring repeated downloading of the programs from a remote server (col. 1:14-18). Accordingly, *Friesen* discloses a technique where “program code is added to the HTML of each of a plurality of web pages that is loaded and executed by the software engine to generate the object when a first of the web pages is loaded on the computer” (col. 3:15-18). This program is identifiable to the software engine so that when the program is reactivated the object can be used “without reloading the program from the HTML code of the web page” (col. 3:26-27).

The “key” to this technique, as identified by *Friesen* (col. 3:28), is that “a number of variables are defined in the program as static variables **that can be modified during execution of the program**” (col. 3:28-30, emphasis added). However, independent claims 1, 5, and 8 specifically recite loading into a “shared, read-only memory.” Thus, *Friesen* not only fails to

disclose the invention as defined in the claim, *Friesen* actively teaches against the recitation of loading into a “shared, read-only memory.”

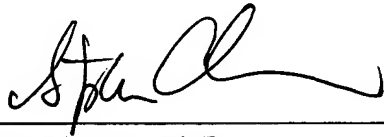
In fact, no discussion of shared, read-only memory can be found in *Friesen*, which is only reasonable, since *Friesen*’s self-identified “key” technique does not work with shared, read-only memory.

Therefore, the present application, as amended, overcomes the rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at 703-425-8516 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

DITTHAVONG & CARLSON, P.C.

4/6/2015  
Date

  
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